Is Europe fulfilling its CBD obligations?

An analysis of how the Natura 2000 network meets the requirements of the Programme of Work on Protected Areas of the CBD

Protected Areas
for a Living Planet
delivering on CBD commitments

Developed with the support of the MAVA Fondation pour la Protection de la Nature, WWF's Protected Areas for a Living Planet programme is working in key ecoregions to help governments meet bold targets for biodiversity conservation. Launched in January 2007, the programme brings together partners and stakeholders to support and monitor implementation of the Convention on Biological Diversity's Programme of Work on Protected Areas – an historic commitment by 188 governments to create a global network of comprehensive, well-managed, and representative terrestrial and marine protected areas.

Protected Areas for a Living Planet is WWF's contribution to helping governments achieve the 2010 Biodiversity Target to reduce the current rate of biodiversity loss. Meeting this target is not only essential to safeguard our world's unique species and habitats, but also essential to improving the food security, health, and income of poor communities worldwide, and therefore to achieving the Millennium Development Goals.

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List of Acronyms

AP	Action Plan
BD	Birds Directive
CBD	Convention on Biological Diversity
COP	Conference of the Parties
EC	European Commission
EIA	Environmental Impact Assessment
EU	European Union
HD	Habitats Directive
PoWPA	Programme of work on protected areas
SEA	Strategic Impact Assessment

Recommendations

WWF and Countdown 2010 recognize that the effective implementation of the Programme of Work on Protected Areas (PoWPA) of the Convention on Biological Diversity (CBD) will make a key contribution to the achievement of the three objectives of the Convention, the global 2010 Biodiversity Target to significantly reduce the current rate of biodiversity loss by 2010, and the Millennium Development Goals.

WWF and Countdown 2010 acknowledge the significant contribution of the EU's biodiversity protection legal framework to the achievement of the European goal of halting biodiversity loss by 2010, as well as the contribution of these legally binding tools towards the targets of the PoWPA of the CBD. However, to achieve these goals implementation remains as the key challenge. The timely and adequate implementation of the relevant EU legislation, including the Habitats and Birds Directives, would decisively contribute to the achievement of the global and European biodiversity targets as well as the targets of the PoWPA of the CBD.

WWF and Countdown 2010 note that in addition to the 27 EU Member States, the European Commission is also a Party to the Convention. Therefore the European Commission has responsibilities regarding the implementation of the Convention within the EU as well as ensuring that EU activities carried out beyond EU territory are compatible with the CBD. Thus the Commission has a special role to play in ensuring that the PoWPA is implemented effectively within the EU by the Member States and European institutions. It also has a special role to play in ensuring that the activities of the Member States and European institutions in third countries and territories outside the EU support PoWPA implementation.

WWF and Countdown 2010 note the large amount of overlap but also some differences between Natura 2000 legislation and the PoWPA of the CBD, and call on the European Commission, EU Member States and Accession countries to:

1. Accelerate implementation of the Birds and Habitats Directive provisions, especially the establishment and adequate management of the Natura 2000 network, as an important contribution to the implementation of the PoWPA;

2. Accelerate the implementation of the Natura 2000 network especially in marine and freshwater ecosystems which is are major priorities of the PoWPA;

3. Ensure that EU funding for regional development as well as aid to developing countries supports the establishment of national and regional systems of protected areas by 2010 on land and by 2012 in marine areas;

4. Address the following goals and targets of the PoWPA which need to be addressed, in addition to provisions for the establishment and management of the Natura 2000 network, if CBD commitments are to be met (further detail on the relevant activities under each goal are given in the Annex to this paper):

   - Carrying out national-level gap assessment to identify areas of national importance for biodiversity which are in need of protection in addition to biodiversity of EU-level importance protected under Natura 2000. The gap assessment should pay special attention to the full range of biodiversity as outlined in Annex 1 of the CBD, including, for example, endemic species and agricultural biodiversity (Goal 1.1);

- By 2015, integrating protected areas into broader land- and seascapes and sectors so as to maintain ecological structure and function. Special attention should be given to the integration of protected areas and biodiversity into sectoral policies and overseas aid (Goal 1.2);

- By 2010 in terrestrial areas and by 2012 in marine areas, establishing transboundary protected areas and regional networks of protected areas (Goal 1.3);

- Collaboration with other governments through the United Nations Informal Consultative Process on the Law of the Sea (UNICPOLOS) to establish and manage protected areas in marine areas beyond the limits of national jurisdiction (Goal 1.3);

- By 2008, developing effective mechanisms for identifying and preventing and/or mitigating key threats to protected areas including illegal activities and alien species (Goal 1.5);

- By 2008, establishing mechanisms for the equitable sharing of both costs and benefits arising from the establishment and management of protected areas (Goal 2.1);

- By 2008, ensuring the full and effective participation of indigenous and local communities and relevant stakeholders in the establishment and management of protected areas (Goal 2.2);

- By 2010 implementing comprehensive capacity building programmes and initiatives to develop knowledge and skills at individual, community and institutional levels, and raise professional standards (Goal 3.2);

- By 2010, developing, applying and transferring appropriate technologies and innovative approaches for the effective management of protected areas according to the decisions of the CBD on technology transfer and cooperation (Goal 3.3);

- By 2008, ensuring sufficient financial, technical and other resources to meet the costs of effectively implementing and managing national and regional systems of protected areas are secured, particularly to support the needs of developing countries and countries with economies in transition and small island developing states. Proposed activities include conducting a national-level study of existing funds, financial needs and options for meeting those needs; developing country level sustainable financing plans for national systems of PAs; and integrating PA needs into national and regional development and financing strategies (Goal 3.4).

Executive summary

Natura 2000 is the network of European protected areas which is based on the EU Birds and Habitats Directives. This document aims at giving a practical overview of the similarities and differences between the CBD Programme of Work on Protected Areas (PoWPA) and the EC provisions for the protection of natural areas, in particular Natura 2000, and the EU Action Plan on the protection of biodiversity published in 2006. It highlights in the recommendations above as well as in section II and the Annex below the areas where additional work is needed at national and/or European level, beyond the implementation of the most relevant EU legislation and policies, to effectively contribute to reaching the CBD goals on protected areas.

The comparison below shows that the PoWPA and the objectives of the different EU instruments are similar, in particular as a result of the EU 2006 Action Plan on biodiversity. Both the EU Action Plan and the Programme of Work fixed a common objective of having a complete network of terrestrial protected areas by 2010 and for the marine environment by 2012. Both instruments have objectives on the integration of protected areas into wider land- and seascapes and agree on the need to create a favourable enabling policy, including the integration of PAs into sectoral policies. The issue of finding sufficient financial resources is of concern to both instruments. Also, both instruments agree on the need for systems to monitor the management of protected sites as well as evaluating the status and trends of biodiversity within PAs. Finally, both instruments agree on the importance of education and awareness-raising as well as the need for further research on biodiversity.

The practical and effective implementation at European and Member State level of the provisions of both the PoWPA and EU legislation remains a key challenge if the 2010 Target to significantly reduce the current rate of biodiversity loss is to be reached. For example, while the establishment of Natura 2000 is a promising contribution to Goal 1 of the PoWPA for the establishment of a global network of comprehensive, representative and effectively managed system of protected areas, important actions still need to be taken for Natura 2000 to be effectively established. These actions include: completing the network for the EU-27, especially for the marine environment; setting up the necessary management measures and securing their financing; ensuring the integration of PAs into sectoral policies; and communicating effectively about the importance of Natura 2000.

Among the main differences between the PoWPA and the EU measures are: Natura 2000's focus on species and habitats while the CBD aims at protecting a wider range of biodiversity; the PoWPA emphasis on the designation of transboundary protected areas and the establishment of protected areas in marine areas beyond the limits of national jurisdiction; the greater importance it gives to the improvement of site-based planning and management, and the request to take action to fight the invasion of alien species and the illegal exploitation of resources. The EU instrument also does not mention aspects of equity and benefit-sharing. In contrast, the EU is further reaching with its legally binding legislation on impact assessments for evaluating the effects of projects or plans on protected areas. Capacity-building of local decision-makers is more at the heart of the CBD Programme, while the EU instruments looks more for public support for biodiversity policy.

1. Introduction

1.1. History of Natura 2000 and the PoWPA

The Convention on Biological Diversity (CBD) was signed in June 1992 and entered into force on 29 December 1993. The European Community adhered to the Convention in 1993 and all 27 EC-Member States are also contracting parties. The CBD is therefore binding on the Community institutions and on all EC Member States.

The three objectives of the CBD are (Article. 1): to conserve biological diversity, to ensure the sustainable use of its components, and to ensure the fair and equitable sharing of the benefits arising out of the utilisation of genetic resources. Article 8 of the CBD provides for the establishment of a system of protected areas. In 2004, the 7th Conference of the Parties of the CBD (COP 7) adopted the programme of work on protected areas (PoWPA) under Decision VII/28. The overall objective of the PoWPA is laid out in paragraph 18 of Decision VII/28[1]:

> "the establishment and maintenance by 2010 for territorial and by 2012 for marine areas of comprehensive, effectively managed, and ecologically representative national and regional systems of protected areas that collectively, *inter alia* through a global network contribute to achieving the three objectives of the Convention and the 2010 target to significantly reduce the current rate of biodiversity loss".

EU policy and legislation on biological diversity and more specifically on natural areas is dispersed in binding pieces of legislation, action plans and programmes, Council resolutions and Commission communications. Directive 79/409 on the conservation of wild birds[2] and Directive 92/43 on the conservation of natural habitats and of wild fauna and flora[3] are the two most important EC instruments to protect natural areas, in particular through the establishment of the Natura 2000 network of special areas of conservation.

In 1998, the EC adopted a Biodiversity Strategy[4], followed in 2001 by a Commission Communication on "Biodiversity action plans for the conservation in the areas of natural resources, agriculture, fisheries and development and economic co-operation[5]". The Communication suggested a number of actions in order to ensure that these different policies took account of the necessity to protect and promote biological diversity. In 2002, the Sixth Community Environment Programme, which is legally binding, fixed the objective of halting biodiversity decline by 2010. The Programme called for the conservation of species and habitats, especially by preventing habitat fragmentation and requested that the ecosystem approach by the CBD be applied whenever appropriate[6].

In 2004, the Council urged "the Commission and Member States to implement the new Programme of Work adopted at COP 7 on Protected Areas, including actions regarding

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1   See also the Programme of Work which is annexed to Decision VII/28, paragraphs 2 to 5.

2   Directive 79/409, OJ 1979, L 103 p.1, thereafter called the Birds directive/BD

3   Directive 92/43, OJ 1992, L 206 p.7, thereafter called the Habitats directive/HD

4   EC Commission, COM (1998) 42 of 4 February 1998.

5   Commission, COM (2001) 162 of 27 March 2001.

6   Decision 1600/2002 of 22 July 2002, laying down the Sixth Community Environment Action Programme, OJ 2002, L 242 p.1.

marine and coastal protected areas"[7]. In 2006, the Commission submitted a new communication and an action plan on biodiversity[8]. The communication confirms the commitment to halt biodiversity decline within the EU by 2010 and outlines measures undertaken to reach this objective in EU internal and external policy.[9]. With regard to the programme of work of the CBD, the Council stressed "the importance of the full implementation of the Programme of Work on Protected Areas in line with the agreed schedule"[10].

1.2. Commission Action Plan of 2006 to support the implementation of the PoWPA

The 2006 Commission Action Plan identifies ten priority objectives, together with 120 targets and 39 supporting measures. The ten objectives which are to be reached in the coming years are the following:

1. Safeguard the EU's most important habitats and species;

2. Conserve and restore biodiversity and ecosystem services in the wider EU countryside;

3. Conserve and restore biodiversity and ecosystem services in the wider EU marine environment;

4. Reinforce compatibility of regional and territorial development with biodiversity in the EC;

5. Substantially reduce the impact on EU biodiversity of invasive alien species and alien genotypes;

6. Substantially strengthen effectiveness of international governance for biodiversity and ecosystem services;

7. Substantially strengthen support for biodiversity and ecosystem services in EU external assistance;

8. Substantially reduce the impact of international trade on global biodiversity and ecosystem services;

9. Support biodiversity adaptation to climate change;

10. Substantially strengthen the knowledge base for conservation and sustainable use of biodiversity, in the EU and globally.

In addition, with regard to Natura 2000, the 2006 Action Plan provides for the complete establishment of Natura 2000 by 2010 for the terrestrial sites and 2012 for marine areas. Although the Natura 2000 site designation process should have been completed by 2004 according to the schedule of the Habitats Directive, the process has encountered substantial delays.

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7   Duke, Guy (ed.) (2005) Biodiversity and the EU – Sustaining Life, Sustaining Livelihoods.Conference Report. Stakeholder Conference heldunder the Irish Presidency of The European Union in partnership with the European Commission, 25th - 27th May 2004, Grand Hotel, Malahide, Ireland. http://ec.europa.eu/environment/nature/biodiversity/develop_biodiversity_policy/malahide_conference/index_en.htm

8   Commission, Halting the loss of biodiversity by 2010 – and beyond, COM(2006) 216 of 22 May 2006.

9   Commission, (fn.8, above), no.5.1

10 Ibidem, n°22.

1.3. What is to be protected by Natura 2000 and the PoWPA

The work on the Natura 2000 network of the EC is completely in line with the CBD Programme of Work. The Habitats Directive states that the EC would set up a "coherent European ecological network of special areas of conservation" composed of sites hosting natural habitat types and habitats of specific protected species. The network also includes the special protection areas which Member States had to classify under the Birds Directive. The network shall enable the natural habitat types and species' habitats and species concerned to be maintained or restored at a favourable conservation status in their natural range (Articles 3.1 and 4.4, Habitats Directive).

The scope of Natura 2000 is however not quite as broad as the CBD definition of biodiversity. Biological diversity is defined in the Convention as "the variability among living organisms from all sources, including, *inter alia*, terrestrial, marine, and other aquatic ecosystems and the ecological complexes of which they are part: this includes diversity within species, between species and of eco-systems" (Article 2). Natura 2000 essentially concentrates on endangered natural habitats and endangered species of fauna and flora, but also protects natural habitats which do host specific fauna or flora species which present per se a habitat of Community interest (Article1(c) and Annex I). The selection of sites for their inclusion in Natura 2000 shall be made according to the criteria laid down in Annex III of the Directive and relevant scientific criteria (Article 4). Habitats of species are protected, where the conservation of the species requires the designation of special areas of conservation (Article 3 and annex II). As regards species, the Habitats Directive protects endangered, vulnerable or rare species (Article 1(g)) and some endemic species. The Birds Directive protects all wild birds that live in the EC.

The CBD programme of work on protected areas aims at supporting the establishment of a global network of protected areas to be made of national and regional systems of protected areas. These shall be comprehensive, effectively managed, and ecologically representative.

The PoWPA does not refer to specific criteria for the selection of these sites but states that 'gap analyses should take into account Annex I of the Convention on Biological Diversity and other relevant criteria such as irreplaceability of target biodiversity components, minimum effective size and viability requirements, species migration requirements, integrity, ecological processes and ecosystem services (Activity 1.1.5).' Annex I of the CBD refers to the following ecosystems, habitats and species:

- areas which are wilderness, or of social, economic, cultural or scientific importance, which are representative or unique, or which host large numbers of endemic species;
- wild relatives of domesticated or cultivated species;
- species of medicinal, agricultural or other economic value;
- species of social, scientific or cultural importance; and
- indicator species.

The overall objective of the programme is also broader than the 2006 Action Plan and Natura 2000 as it refers, in addition to the 2010 target, to the three objectives of the CBD, as well as to the contribution to poverty reduction and to sustainable development.

2. Comparison

The following section looks at how adequately each of the goals of the PoWPA is covered by EU legislation and policies related to the protection of natural areas. The table in the Annex outlines the specific areas of EU legislation and policies which contribute to each of the PoWPA goals. It also identifies activities from the PoWPA which the EC and Members States should address in addition to EU legislation and policies if their commitments under the CBD PoWPA are to be met.

Goal (1.1) is to have a global network of comprehensive, representative and effectively managed protected areas designated by 2009 and completed by 2010 for the terrestrial and 2012 for the marine environment.

The EU wide network of special areas of conservation, Natura 2000, is a robust contribution to this goal. The sites identified for Natura 2000 for the so called EU-15 will most likely represent over 18% of the EU territory, with important differences from one Member State to another. Substantial work remains to be done at national level as well as at EU level to ensure that the network will be "coherent" and that it will effectively "contribute towards ensuring bio-diversity". Many of the suggested activities under this programme element of the PoWPA shall be undertaken by the Member States as part of their obligations under EU law to establish effectively Natura 2000 and to fully implement the related EU legislation and policies

The efforts made to establish Natura 2000 should not overshadow the importance of maintaining and developing national systems of protected areas to achieve Goal 1.1. and address some of the insufficiencies of Natura 2000. Member States and candidates countries to the EU should therefore give particular attention to activities 1.1.2, 1.1.3, 1.1.4, 1.1.5, and 1.1.6.

Addressing the under-representation of marine ecosystems in systems of protected areas has been recognised at EU level to complete Natura 2000. It will however not cover areas beyond national jurisdiction (PoWPA (1.1.3)).

Goal (1.2) foresees the integration of protected areas into broader land and seascapes (corridors and buffer zones) and sectoral policies.

The provisions of Article 10 of the Habitats Directive have been given very little consideration so far in the establishment of Natura 2000. Moreover, the recent proposal of the European Commission to set up a working group to address the connectivity aspect of Natura 2000 has been supported by only a few Member States.

The integration of environmental requirements into sectoral policies is enshrined in the EU Treaty. The 2006 EC Action Plan puts emphasis on this target to achieve the 2010 Target. However, the new EU financial regulations for cohesion policy for 2007-2013 give EC Member States greater flexibility as to whether they incorporate biodiversity requirements into their funding plans. The most recent NGO analysis of those funding plans and policies show that the priorities of the 2006 EC biodiversity action plan are largely overlooked in this process[11]. Goal (1.2) should therefore be given far greater priority by national authorities and the European Commission if it is to be achieved by 2015.

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[11] Green 10, "Could try harder" A mid-term report on the European Commission's environmental record, April 2007, p.7. A WWF Scorecard Analysis of the Regional Funds Programming for 2007-2013, April 2007.

Goal (1.3) aims at establishing and strengthening transboundary protected areas and regional networks:

There is no equivalent goal in EC nature protection legislation. This relies on Member States initiatives. It may also result from Natura 2000 within the EU.

Goal (1.4) is to substantially improve site-based planning and management

This goal is well reflected in the provisions of the Habitats Directive and in the 2006 Action Plan. However, the extent to which it will be reached for Natura 2000 depends in particular on the effect of the full transposition and application of Article 6 of the Habitats Directive by the Member States. The PoWPA action listed will be key to the effectiveness of the European network and their national systems of protected areas.

Goal (1.5) aims at identifying, preventing and mitigating key threats to protected areas.

This goal is well reflected in the legally binding provisions of the Habitats and Birds Directives, the directives on environmental impact assessment (EIA)[12] and strategic environmental assessment and the directive on environmental liability. These provisions however do not provide for strategic approaches to prevent and mitigate threats (PoWPA 1.5.5). A Community strategy is to be developed to address invasive alien species[13], however, the illegal exploitation of resources in the EU is not subject to specific measures at EU level as measures in this area are left to Member States.

Goal (2.1) concerns equity and benefit-sharing.

EU legislation and policy does not contain specific measures to promote equity and benefit-sharing. This is an issue which is left to the EU Member States.

Goal (2.2) Involvement of local communities and relevant stakeholders

Under EC provisions, local communities do not have a specific participatory role either during the process of selecting Natura 2000 sites, or in the establishment of the management measures. The Habitats Directive only provides for public consultation in the case of a specific project that may affect a protected habitat (Article 6(3)). The lack of adequate information, consultation and participation of stakeholders and local communities in Natura 2000 site selection process has been the source of tension and delays. This is however the responsibility of each Member State. In application of Directive 2001/42 a local community has the right to participate in any plan that may significantly affect it[14];

Goal (3.1) Supportive enabling environment.

This goal is well reflected in the 2006 EU Action Plan. The challenge remains in the implementation (see comments above on Goal (1.2) and below on Goal (3.4)).

Goal (3.2) Capacity-building

Capacity building comes under the competencies of Member States. The allocation of more human and financial resources is vital for the implementation of both the Nature Directives and the PoWPA, especially in the new Member States.

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12 Directive 85/337/EEC as amended by Directives 97/11/EC and 2003/35/EC

13 See Miller, C., Kettunen, M. & Shine, C. 2006. Scope options for EU action on invasive alien species (IAS) Final report to the European Commission. Institute for European Environmental Policy (IEEP), Brussels, Belgium 109 pp + Annexes

14 Directive 2001/42 on the assessment of the effects of certain plans and programmes on the environment, OJ 2001, L 197 p.30.

Goal *(3.3) Technology transfer.*

The EU has not developed any objective for improving the transfer of technology between EU Member States or with third countries.

Goal (3.4) Financial sustainability:

The responsibility for funding Natura 2000 is shared between Member States and the European Commission (Article 8 of the Habitats Directive). However, European funding only makes available a fraction of the funding necessary for the financing of Natura 2000. In addition, optimal use of EU funds for nature conservation now depends even more on Member States political will to effectively use the opportunities offered (see above comments on Goal (1.2)). Therefore this goal is certainly a great challenge for the EU and its Member States. PoWPA activities 3.4.1 and 3.4.2 should be given particular attention at national level.

Goal (3.5) Education and awareness-raising

Both instruments attach importance on education and awareness-raising. This is still a key challenge for the success of Natura 2000.

Goal (4.1) Minimum standards and best practices

The EU laid down common criteria for selecting Natura 2000 sites (Habitats Directive, Annex III), but has no objective to identify and adopt standards, criteria or best practices for managing protected areas. It relies on the provisions of Article 6 of the Directive.

Goal (4.2) Evaluation and improvement of the management of protected areas

For Natura 2000, this goal is reflected in Article17 of the Habitats Directive which defines a six-year cycle for reporting on the implementation of measures taken under the Directive (next reports due for Autumn 2007), including, in particular, conservation measures taken for Natura 2000 sites and their impact on the conservation status of the species and habitats concerned. In 2005, EU Member States experts approved a framework for reporting, monitoring and assessment of conservation status under Article 17 of the Habitats Directive[15]. The Commission composite report –based on the national reports that the Member States should send in 2007– shall include an evaluation of the progress achieved. This report is expected to be ready in early 2008.

Goal (4.3) Assess and monitor protected area status and trends: (see above comments on Goal (4.2)). Implementation of PoWPA activities at national level under Goals 4.2 and 4.3 are key to the quality of monitoring under the Habitats Directive as well as for the monitoring of national systems of protected areas.

Goal (4.4) Research: both instruments address in detail the necessity for better research, the dissemination of research results and the improvement of scientific and technical co-operation.

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15 See the European Commission information about the article 17 reporting in:
    http://ec.europa.eu/environment/nature/nature_conservation/monitor_indic_reporting/monitoring_and_reporting/habitats/art17/index_en.htm

3. Conclusion

Overall, EU legislation and policies concerning protected areas can make a positive contribution to the Programme of Work on Protected Areas under the CBD. The implementation of the relevant EU directives for Natura 2000 will include not only the designation but also the management, monitoring and financing of biodiversity hot spots in Europe. Important actions still need to be undertaken at national and European level to implement EU policies and legislation so that the EU can effectively contribute to the goals and targets of the PoWPA. Therefore all efforts must be made to implement the system of Natura 2000 in Europe in a timely and efficient manner.

Some of the differences between the PoWPA and EU legislation and policies identified in this paper result from the division of competencies between the EU and the Member States as outlined under the subsidiary provisions of the EC Treaty (Article 5). However, as a signatory to the CBD, the European Commission is in a position of having a level of overall responsibility for the implementation of the Convention within the EU. As a CBD Party it also has a role to play in ensuring that EU activities carried out beyond EU territory are compatible with the Convention. Therefore, it could be argued that the Commission should consider steps to ensure that the PoWPA is implemented within the EU even where it touches on issues which are the responsibility of the Member States under the EC Treaty.

Implementation of the PoWPA by EU Member States and candidate countries will also be crucial to the achievement of some key objectives of the EU Action plan and the consolidation of the Natura 2000 network.

Annex: PoWPA activities where action is needed at EU or national level

Goals and Targets of the CBD Programme of Work on Protected Areas (PoWPA)	Contribution of Habitats Directive/Natura 2000, EC 2006 Action Plan or other EU instruments	PoWPA activities where action is needed at EU or national level
Programme Element 1: Direct actions for planning, selecting, establishing, strengthening, and managing, protected areas		
Goal 1.1: To establish and strengthen national and regional systems of protected areas Target: By 2010, terrestrially and 2012 in the marine area, a global network of comprehensive, representative and effectively managed national and regional protected area system is established	AP 2006/Target A1.1: N2000 network established, safeguarded, designated and under effective conservation management by 2010 (terrestrial), 2012 (marine); HD Art. 5: designate sites by 2004; BD Art. 4 and 18: designate sites by 1981; AP 2006/Action A1.2.2: accelerate efforts to place other designated protected areas (non-Natura 2000) of national, regional and local biodiversity importance under effective conservation management (2010 terrestrial /12 marine).	National authorities should take action in line of PoWPA: 1.1.2 by 2006, establish or expand PA in any large, intact or relatively unfragmented or highly irreplaceable natural areas; 1.1.3: by 2006 terrestrially and by 2008 in the marine environments, address the under-representation of marine and inland water ecosystems, taking into account marine ecosystems beyond areas of national jurisdiction; 1.1.4: by 2006, conduct national reviews of existing and potential forms of conservation with wide participation of local communities; 1.1.5: by 2006 complete PA system gap analysis at national and regional levels.

Goals and Targets of the CBD Programme of Work on Protected Areas (PoWPA)	Contribution of Habitats Directive/Natura 2000, EC 2006 Action Plan or other EU instruments	PoWPA activities where action is needed at EU or national level
Goal 1.2 - To integrate protected areas into broader land and seascapes and sectors so as to maintain ecological structure and function Target: By 2015 and by applying the ecosystem approach and taking into account ecological connectivity and the concept, where appropriate, of ecological networks.	HD Art.3 and BD Art.4 "set up a coherent network"; HD Art.10: encourage the management of landscapes; Article 6 EC Treaty: environmental requirements must be integrated in the elaboration and implementation of all EC policies; AP 2006/A1.2: Sufficiency, coherence, connectivity and resilience of the PA enhanced; Objective 2: to conserve and restore biodiversity and ecosystem services in the wider EU countryside (terrestrial, freshwater, brackish water outside N2000) biodiversity loss halted by 2010 and showing substantial recovery by 2013; A2.1 Member States have optimised use of opportunities under agricultural, rural development and forest policy (2007-13); AP 2006/Objective 3 – same as above for marine environment; AP 2006/Objective 4: to reinforce compatibility of regional and territorial development with biodiversity in the EU; A 4.3 ecological coherence and functioning strengthened through spatial planning from 2006 onwards.	To ensure that Natura 2000 becomes "a coherent network", it will be important for EU Member States to give particular consideration to measures to implement the following activities of the PoWPA: 1.2.2 by 2008 implement practical steps for integrating PAs into broader landscapes including policy, legal, planning and other measures; 1.2.3: integration by establishing and managing ecological networks, corridors, and/or buffer zones, take into account needs of migratory species; 1.2.4: develop tools of ecological connectivity; 1.2.5: rehabilitate and restore habitats and degraded ecosystems, as a contribution to building ecological networks, corridors and/or buffer zones.

Goals and Targets of the CBD Programme of Work on Protected Areas (PoWPA)	Contribution of Habitats Directive/Natura 2000, EC 2006 Action Plan or other EU instruments	PoWPA activities where action is needed at EU or national level
Goal 1.3 – To establish and strengthen regional networks, transboundary protected areas (TBPAs) and collaboration between neighbouring protected areas across national boundaries Target: by 2010 terrestrially/2012 marine	This goal and target are not addressed under the Birds and Habitats Directives.	1.3.1 collaborate with other Parties to establish effective regional networks of PAs, and establish multi-country coordination mechanisms to support establishment and long-term management; 1.3.2. collaborate with other Parties to establish and manage PAs in marine areas beyond the limits of national jurisdiction.
Goal 1.4: To substantially improve site-based protected area planning and management Target: All protected areas to have effective management in existence by 2012, using participatory and science-based site planning processes that incorporate clear biodiversity objectives, targets, management strategies and monitoring programmes, drawing upon existing methodologies and a long-term management plan with active stakeholder involvement.	HD Art. 6 for management of Natura 2000 sites. AP 2006/ B3.1.4: establish a biodiversity and climate change task force at EU level [2007]	Additional work needed to fulfil in particular: 1.4.3 analysis of opportunities for the PA to contribute to conservation and sustainable use of biodiversity at local and regional scales – and of threats and means of addressing them; 1.4.1 create a highly participatory process, as part of site based process, and use relevant ecological and socio-economic data to develop effective planning process; 1.4.4. by 2010, develop or update management plans for protected areas; 1.4.5 integrate climate change adaptation measures in PA planning, management strategies and in the design of PA system; 1.4.6 staff well-trained and skilled, properly and appropriately equipped supported.

Goals and Targets of the CBD Programme of Work on Protected Areas (PoWPA)	Contribution of Habitats Directive/Natura 2000, EC 2006 Action Plan or other EU instruments	PoWPA activities where action is needed at EU or national level
Goal 1.5 – To prevent and mitigate the negative impacts of key threats to protected areas Target: By 2008, effective mechanisms for identifying and preventing, and/or mitigating the negative impacts of key threats to protected areas are in place.	HD Art.6 and Art.7; BD Art. 4.4 Avoid by 1981, significant impairment of habitats; Directive 2004/35 on environmental liability; AP 2006/A1.1.3: transpose fully [by 2006] Art. 6(2), 6(3) and 6(4) of HD into national legislation and planning policies and ensure subsequent timely implementation; where development proposals cannot avoid damage to N2000 sites, but proceed for reasons of overriding public interest, ensure special efforts for adequate design and implementation of compensatory measures [2006 onwards]; AP2006/A1.1.4: strengthen effectiveness of SEA and EIA directives in informing decision making so as to prevent, minimise and mitigate damages to Natura 2000 sites [2006 onward]; AP2006/A1.1.5: ensure full and timely implementation of Environmental Liability Directive; AP2006/Objective 5: reduce the impact on EU biodiversity of invasive alien species; AP2006/ Objective 9: to support biodiversity adaptation to climate change.	The EC and MS should address the following PoWPA activities: 1.5.5: assess key threats to PA and develop strategies to prevent and/or mitigate them; 1.5.4: control risks associated with invasive alien species in protected areas; There are no EU measures concerning PoWPA activity 1.5.6: develop policies, improve governance and ensure enforcement of urgent measures to halt illegal exploitation of resources from PAs, and strengthen international cooperation to combat illegal trade in such resources.

Goals and Targets of the CBD Programme of Work on Protected Areas (PoWPA)	Contribution of Habitats Directive/Natura 2000, EC 2006 Action Plan or other EU instruments	PoWPA activities where action is needed at EU or national level
Programme Element 2: Governance, participation, equity and benefits sharing		
Goal 2.1 – To promote equity and benefit sharing Target: establish by 2008 mechanisms for the equitable sharing of both costs and benefits arising from establishment and management of PA	Not addressed by HD/N2000. Comes under Member States competencies; HD Article 8 only provides for possibilities for EU co-financing.	All activities under this goal are relevant.
Goal 2.2 – To enhance and secure involvement of indigenous and local communities and relevant stakeholders Target: Full and effective participation by 2008, of indigenous and local communities, . . . and the participation of relevant stakeholders, in the establishment and management of PAs	HD and Directive 2001/42 do not provide for a participatory role of local communities during the process of selecting sites to be included in N2000 HD Art.6 at impact assessment of plans and projects, the public concerned has a right to give an opinion; Directive 2001/42 requires impact assessments of all plans that might affect a PA and provides for public participation; AP2006/Targets B3.1.1 to B3.1.8 concerning key stakeholders; B3.1.1: enhance communication, cooperation and concerted action between Commission, Member States, landowners, scientific and conservation communities in support of Natura 2000, including implementation of "El Teide declaration" [2006 onwards].	EU Member States should give particular attention to PoWPA activity 2.2.4: promote an enabling environment (legislation, policies, capacities and resources) for the involvement of indigenous and local communities and relevant stakeholders in decision making, and the development of their capacities and opportunities to <u>establish and manage</u> PAs, including community-conserved and private protected areas.

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Programme Element 3: Enabling activities		
Goal 3.1 – To provide an enabling policy, institutional and socio-economic environment for protected areas Target: By 2008 review and revise policies as appropriate, including use of social and economic valuation and incentives, to provide a supportive enabling environment for more effective establishment and management of protected areas and protected areas systems.	AP2006/Objective B2.1 to B2.6 (strengthening EU decision making for biodiversity); Objective 4/ A4.1 to A4.2: cohesion and structural funds contributing to sustainable development and making a positive contribution to biodiversity, negative impact minimised…; HD Art 8: EU co-financing of Natura 2000.	Particular attention should be given to the following PoWPA activities: 3.1.1 by 2006, identify legislative and institutional gaps and barriers that impede PA establishment and management and effectively address by 2009; 3.1.5 remove perverse incentives; 3.1.6 establish positive incentives; 3.1.8 national incentive mechanisms; 3.1.9 economic opportunities for goods and services from PA…; 3.1.10 achieve financial sustainability.
Goal 3.2 – To build capacity for the planning, establishment and management of protected areas Target: By 2010, comprehensive capacity building programmes and initiatives are implemented to develop knowledge and skills at individual, community and institutional levels, and raise professional standards.	Capacity building is part of Member State competencies. Possibility to use some EU funds	All activities under this goal are relevant.

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Goal 3.3 To develop, apply and transfer appropriate technologies for protected areas Target: By 2010 the development, validation, and transfer of appropriate technologies and innovative approaches for the effective management of protected areas is substantially improved, taking into account decisions of the Conference of the Parties on technology transfer and cooperation.	Technology transfer is not addressed by the Birds and Habitats Directives but is part of Member State competencies.	All activities under this goal are relevant.
Goal 3.4 – To ensure financial sustainability of protected areas and national and regional systems of protected areas Target: By 2008, sufficient financial, technical and other resources to meet the costs to effectively implement and manage national and regional systems of protected areas are secured, including both from national and international sources,	HD Art 8 possibility for EU co-financing for Natura 2000; AP 2006/Target A.1.1.2 ensure adequate financing of N2000; Target A 2.1 Member States have optimised use of opportunities under agricultural, rural development and forest policies (2007-2013) to benefit biodiversity.	3.4.1 by 2005, conduct a national-level study of existing funds, financial needs and options for meeting those needs 3.4.2 by 2008 country level sustainable financing plans for national system of PA 3.4.6 encourage integration of PA needs into national, regional development and financing strategies
Goal 3.5 – To strengthen communication, education and public awareness Target: By 2008 public awareness, understanding and appreciation of the importance and benefits of PA is significantly increased.	HD Art. 22(c) promote education and general information; AP 2006/Target B4.1 campaign to have 10 million citizens active in biodiversity by 2010, 15 million by 2013; Part of Member State competencies.	All activities under this goal are relevant.

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Programme Element 4: Standards, assessment, and monitoring		
Goal 4.1 – To develop and adopt minimum standards and best practices for national and regional protected area systems Target: By 2008, standards, criteria, and best practices for planning, selecting, establishing, managing and governance of national and regional systems of PA are developed and adopted.	Criteria to select sites according to Habitats and Birds Directive; HD Art.6 Management measures; Part of Member State competencies.	EC could support coordinated initiatives of the Member States. Particular attention should be given to: 4.1.2 efficient long term monitoring system of outcomes achieved by PA systems in relation to the goals and targets of the PoWPA; ; 4.1.3 draw upon monitoring results to adapt and improve PA management.
Goal 4.2 – To evaluate and improve the effectiveness of protected areas management Target: By 2010, frameworks for monitoring, evaluating and reporting PA management effectiveness adopted and implemented by Parties.	HD Art. 17 reporting every six years	
Goal 4.3 – To assess and monitor protected area status and trends Target: By 2010, national and regional systems are established to enable effective monitoring of PA coverage, status and trends at national, regional and global scales, and to assist in evaluating progress in meeting global biodiversity targets.	HD Art.17 reporting every six years; HD Art.11 surveillance of conservation status of natural habitats and species, in order to maintain and if necessary restore it; Art. 211 EC Treaty: Commission to monitor application of legislation.	All PoWPA activities should be implemented by Member States in order to effectively implement the HD and PoWPA.

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Goal 4.4 – To ensure that scientific knowledge contributes to the establishment and effectiveness of protected areas and protected area systems Target: Scientific knowledge relevant to protected areas is further developed as a contribution to their establishment, effectiveness, and management.	BD Art. 10 and Annex V improve research on species and their habitats; HD Art. 18 improve and coordinate research on habitats, species, their conservation status and surveillance; AP 2006/Target A 10.1 enhance policy relevant research, independent scientific advice to global policy making, common data standards etc.	

**Protected Areas
for a Living Planet**
delivering on CBD commitments

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